

## **REMARKS**

### **I. CLAIMS 11 & 12 – REJECTED UNDER 35 USC § 101**

Applicant has adopted the suggestion in the Office Action, and has amended the preamble of claims 11 and 12 to include the term “non-transitory”.

### **II. PRIOR ART REJECTIONS**

Examiner and Applicant agreed in the 06/24/2010 interview that the Goldberg reference did not teach limitations of claims 1, 11 and 12, for the following reasons:

#### **CLAIM 1**

Goldberg does not disclose the elements in section “A” of the claim (these are all on the side of the aggregator processor):

- As a general note, the Office Action states that Goldberg’s graphical condition builder 200 is considered to be the “aggregate processor” of the claims, and that Goldberg’s search engines are considered to be the “source-entity processor” of the claims.  
However, Goldberg’s graphical condition builder 200 does not aggregate anything, as aggregation is commonly defined and specifically defined in the claim.

- Moreover, in Goldberg the graphical condition builder controls the databases containing the raw data – see paragraph 0035. The search engines, which Goldberg really mentions only peripherally, are just used to operate on the data controlled by the graphical condition builder – they don’t collect, organize, and store the raw data like the source-entity processors in the invention do. Thus, Goldberg’s system is significantly different from the invention as claimed.
- A(iii): The cited passage in Goldberg (paragraph 0049) does not describe the aggregator entity (supposedly the graphical condition builder) receiving a respective file from each of the source-entity processors (supposedly the search engines).
- A(iv): The cited passage in Goldberg (paragraph 0056) does not describe aggregating the files received back from the source-entities into a data-warehouse. Instead, it discusses grouping multiple filter objects into one consolidated “group filter object”. This grouping, and indeed the filtering as well, occurs on the front end, as the query is being generated (see Fig. 2 and paragraph 0029) – not after a file responsive to the parameter list is received back from the source-entity, as in the claimed invention.
- A(v): The cited passage in Goldberg (paragraph 0056) does not describe “using the parameter list, extracting query relevant data from the data-warehouse”.

- A(vi): The cited passages in Goldberg (paragraphs 0062 and 0063) do not describe “agglomerating the extract”.

Further, Goldberg does not disclose the elements in section “B” of the claim (these are all on the side of the source-entity processor):

- B(i): The cited passage in Goldberg (paragraph 0056) does not describe the search engines (supposedly the source-entity processors in Goldberg) accumulating data-items wherein some of the data-items have privacy sensitive micro-data”. The passage says nothing about the search engines accumulating data items, and nothing about some of the accumulated data having privacy-sensitive micro-data. Instead, paragraph 0056 is about merging filter objects into one group filter object. Moreover, the Office Action states earlier that the aggregator processor performs the grouping in paragraph 0056 – *not* the source-entity processor. In sum, the Office Action is incorrect regarding Goldberg and this claim element.
- B(ii): The cited passage in Goldberg (paragraph 0057) does not describe “organizing the data-items using the plurality of predetermined attributes”.
- B(iii): The cited passage in Goldberg (paragraph 0063) does not describe the source-entity processor “receiving a parameter list from the ‘aggregator’ processor”.

- B(iv): The cited passage in Goldberg (paragraph 0063) does not describe “forming a file by ‘crunching together’ the data-items according to the parameter list”.
- B(v): The cited passage in Goldberg (paragraph 0064) does not describe “filtering out portions of the file which characterize details particular to less than a predetermined quantity of micro-data-specific data-items”.
- B(vi): The cited passage in Goldberg (paragraph 0064) does not describe the source-entity processor “transmitting the file to the ‘aggregator’ processor”. In this passage, there is simply no transmission of a file to anywhere, much less to an aggregate processor.

### **CLAIM 11**

Goldberg does not disclose the elements in the claim (these are all on the side of the aggregator processor):

- As discussed regarding Claim 1, the Office Action states that Goldberg’s graphical condition builder 200 is considered to be the “aggregate processor” of the claims, and that Goldberg’s search engines are considered to be the “source-entity processor” of the claims. However, Goldberg’s graphical condition builder 200 does not aggregate anything, as aggregation is commonly defined and specifically defined in the claim.

- Moreover, in Goldberg the graphical condition builder controls the databases containing the raw data – see paragraph 0035. The search engines, which Goldberg really mentions only peripherally, are just used to operate on the data controlled by the graphical condition builder – they don’t collect, organize, and store the raw data like the source-entity processors in the invention do. Thus, Goldberg’s system is significantly different from the invention as claimed.
- (iii): The cited passage in Goldberg (paragraph 0049) does not describe the aggregator entity (supposedly the graphical condition builder) receiving a respective file from each of the source-entity processors (supposedly the search engines).
- (iv): The cited passage in Goldberg (paragraph 0056) does not describe aggregating the files received back from the source-entities into a data-warehouse. Instead, it discusses grouping multiple filter objects into one consolidated “group filter object”. This grouping, and indeed the filtering as well, occurs on the front end, as the query is being generated (see Fig. 2 and paragraph 0029) – not after a file responsive to the parameter list is received back from the source-entity, as in the claimed invention.
- (v): The cited passage in Goldberg (paragraph 0056) does not describe “using the parameter list, extracting query relevant data from the data-warehouse”.

- (vi): The cited passages in Goldberg (paragraphs 0062 and 0063) do not describe “agglomerating the extract”.

### **CLAIM 12**

Goldberg does not disclose the elements in the claim (these are all on the side of the source-entity processor):

- (i): The cited passage in Goldberg (paragraph 0056) does not describe the search engines (supposedly the source-entity processors in Goldberg) accumulating data-items wherein some of the data-items have privacy sensitive micro-data”. The passage says nothing about the search engines accumulating data items, and nothing about some of the accumulated data having privacy-sensitive micro-data. Instead, paragraph 0056 is about merging filter objects into one group filter object. Moreover, the Office Action states earlier that the aggregator processor performs the grouping in paragraph 0056 – *not* the source-entity processor. In sum, the Office Action is incorrect regarding Goldberg and this claim element.
- (ii): The cited passage in Goldberg (paragraph 0057) does not describe “organizing the data-items using the plurality of predetermined attributes”.

- (iii): The cited passage in Goldberg (paragraph 0063) does not describe the source-entity processor “receiving a parameter list from the ‘aggregator’ processor”.
- (iv): The cited passage in Goldberg (paragraph 0063) does not describe “forming a file by ‘crunching together’ the data-items according to the parameter list”.
- (v): The cited passage in Goldberg (paragraph 0064) does not describe “filtering out portions of the file which characterize details particular to less than a predetermined quantity of micro-data-specific data-items”.
- (vi): The cited passage in Goldberg (paragraph 0064) does not describe the source-entity processor “transmitting the file to the ‘aggregator’ processor”. In this passage, there is simply no transmission of a file to anywhere, much less to an aggregate processor.

### **DEPENDENT CLAIMS**

Claims 2-10 in the application depend from independent claim 1, and define patentably over Goldberg, and any combination of Goldberg with another reference, for the same reasons.

**CONCLUSION**

For all the above reasons, Applicant submits that the claims are in proper form, and that the claims all define patentably over the prior art. The application is therefore in condition for allowance, and Applicant requests such action.

Respectfully,

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